

Amendments to Senate Bill No. 35
3rd Reading Copy

Requested by Representative Ron Stoker

For the House Judiciary Committee

Prepared by David Niss
February 25, 2009 (4:02pm)

1. Page 2.

Following: line 21

Insert: "Insert: "COORDINATION SECTION. Section

3. Coordination instruction. If both Senate Bill 236 and [this act] are passed and approved and if Senate Bill 236 includes a section that amends 46-19-101, then the sections amending 46-19-101 are void and 46-19-101 must be amended as follows:

"46-19-101. Commitment of defendant -- transfer of information in possession of sheriff. (1) Upon oral pronouncement of a sentence imposing punishment of imprisonment, commitment to the department of corrections, or placement in a prerelease center, community corrections facility, or other place of confinement, or death, the court shall commit the defendant to the custody of the sheriff, who shall deliver the defendant to the place of confinement, or commitment, or execution and give that place an order, which must be signed by the sentencing judge on the date of oral pronouncement of sentence, stating that the defendant is sentenced to that place for imprisonment, commitment, or placement, or execution, as the case may be. The order is authority for that place to hold the defendant pending receipt by that place of a copy of the written judgment.

(2) When a sheriff delivers the defendant to the place of confinement or commitment, the sheriff shall deliver at the same time all information in the possession of the sheriff regarding the physical and mental health of the defendant, including health information contained in a presentence investigation report."

{Internal References to 46-19-101: None.} "

- END -